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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/822,653	03/30/2001	Aamir A. Abbasi	CS10883	7663

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MOTOROLA INC
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EXAMINER

NGUYEN, THUAN T

ART UNIT	PAPER NUMBER
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2685

DATE MAILED: 02/10/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/822,653	Applicant(s) ABBASI, AAMIR A.	
	Examiner THUAN T. NGUYEN	Art Unit 2685	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-5,11 and 13-20 is/are pending in the application.
4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1,3-5,11 and 13-20 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Remark

1. Claims 2, 6-10, and 12 are previously canceled. Pending claims are claims 1, 3-5, 11, and 13-20 for examination.

Response to Arguments

2. Applicant's arguments with respect to claims 1, 3-5, 11, and 13-20 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

*A person shall be entitled to a patent unless --
(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.*

4. Claims 1, 3-5, 11, and 13-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Son et al. (US Patent 6,278,887 B1).

Regarding claim 1, Son discloses a portable electronic device comprising a user interface (Fig. 1 for a portable electronic device comprising conventional user interfaces keypad 110, see col. 3//lines 59-col. 4/line 9); a lighting source including a light source to

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illuminate the user interface (col. 4/lines 18-23 for power source for the lighting; and col. 6/line 47-67 for backlight to illuminate the user interface), and a control circuit coupled to the lighting circuit, the control circuit having a delayed operation mode wherein: a first activation of the user interface clears or ignores a user entry so that it is not acknowledged by the user interface, illuminates the user interface, and activates a timer, and a second activation of the user interface performs an operation of the device, acknowledged by the user interface, in response to determining that the timer is still activated (Fig. 2, and col. 4/line 43 to col. 5/line 51, as a first keystroke only activates the light and the timer, and the timer is on for a predetermined time, if the user activates and/or inputs a second user entry, within the timer window, the user entry is acknowledged, if not, the timer will expire if there is no input for that predetermined time).

(Claim 2 was canceled).

As for claim 3, this limitation is met as Son discloses a light sensor detects the ambient light condition for generating an ambient light signal based on the ambient light condition (col. 7/lines 3-11 for a photo sensor to determine the light condition to turn on the back light).

As for claims 4 and 5, these limitations are met as Son teaches that appropriate construction and programming of the device for different operating states can be performed by evaluating the ambient light conditions such as below a minimum illumination level –absent of the ambient light—or within a shorter duration by measurement of the elapsed time and by means of photo sensor, for switching the display to appropriate display levels (col. 7/lines 1-30 with photo sensor and a timer for imposing

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a time duration for maximum and/or minimum period of time as well for having a duration in display in low light condition or shut off if light is good).

(Claims 6-10 were canceled).

As for claims 11, and 13-15, these features are already addressed above for light sensor and ambient conditions and timer with duration for minimum and maximum time periods in claims 1 and 3-5, and for claims 16-20, these claims with same limitations addressed earlier are rejected for the reasons given in the scope of claims 1 and 3-5 as disclosed above.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Ishigaki, Shim, Karam and Lebel et al (PTO-892 attached) disclose portable electronic device with automatic lighting and timer technique.

6. **Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to the New Central Fax number:

(571) 273-8300, (for Technology Center 2600 only)

Hand deliveries must be made to Customer Service Window,

Randolph Building, 401 Dulany Street, Alexandria, VA 22314.

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7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tony Thuan Nguyen whose telephone number is (571) 272-7895. The examiner can normally be reached on Monday-Friday from 9:30 AM to 7:00 PM, with alternate Fridays off.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'Tony T. Nguyen', with a stylized flourish at the end.

TONY T. NGUYEN
PATENT EXAMINER

Tony T. Nguyen
Art Unit 2685
February 03, 2006